

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ADLEAIDO GALEANA and NICOLAS
GALEANA, *individually and on behalf of
others similarly situated,*

Docket No.: 14-cv-03625 (VSB)

Plaintiff,

PROPOSED DEFAULT JUDGMENT

-against-

MAHASAN INC. (d/b/a ENTHAICE) and
JUNTIMA NETPRACHAK,

Defendants.

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On May 20, 2014, Plaintiffs Adelaido Galeana and Nicolas Galeana commenced this action (ECF Dkt. No. 2). On September 19, 2014, Defendants filed an Answer to the Complaint (ECF Dkt. No. 9). On December 22, 2014, Subongkot Longwilai filed a Notice, consenting to become a Party Plaintiff under the Fair Labor Standards Act. (ECF Dkt. No. 17). On February 22, 2021, Defendants' counsel filed a Motion to Withdraw as Attorney for Defendants pursuant to Local Civil Rule 1.4. (ECF Dkt. Nos. 135, 136 and 137). On February 23, 2021, the Court issued an Order granting Defense Counsel's Motion to Withdraw as Attorney and directing, in part, Defendants to file a Notice of Appearance on or before March 26, 2021. (ECF Dkt. No. 138). On March 1, 2021, former defense counsel served copies of its Motion to Withdraw as Attorney and the Court Order dated February 23, 2021 on Defendants via personal service and first-class mail. (ECF Dkt. No. 139). On March 4, 2021, Movants, Adelaido Galeana and Subongkot Longwilai ("Movants"), effectuated service of the February 23, 2021 Order upon Defendants by first-class mail. (ECF Dkt. No. 140).

Defendants failed to file a Notice of Appearance by March 26, 2021. On March 29, 2021, the Court issued an Order directing Movants to seek a default judgment by April 29, 2021. (ECF

Dkt. No. 141). On April 5, 2021, Movants effectuated service of the March 29, 2021 Order upon Defendants by first-class mail. (ECF (Dkt. No. 142).

The Clerk of this Court certified the default of Defendant Mahasan Inc. (d/b/a Enthaiace) on April 29, 2021 (ECF Dkt. No. 145).

NOW, on motion of Movants, by their attorneys, Michael Faillace & Associates, P.C., it is hereby ORDERED, ADJUDGED, AND DECREED:

That Movants have judgment against Defendant Mahasan Inc. (d/b/a Enthaiace) in the amount of \$76,612.47, including (A) compensatory damages for unpaid minimum wages and overtime compensation in the amount of \$21,439.81; (B) liquidated damages for unpaid minimum wages and overtime compensation in the amount of \$21,439.81; (C) unpaid spread of hours pay in the amount of \$3,046.50; (D) liquidated damages for unpaid spread of hours pay in the amount of \$3,046.50; (E) statutory damages for violations of New York Labor Law § 195(1) in the amount of \$5,000.00; (F) statutory damages for violations of New York Labor Law § 195(3) in the amount of \$5,000.00; (G) pre-judgment interest on unpaid minimum wages and overtime compensation calculated at the rate of 9% per annum to the date of judgment, totaling \$15,411.78 as of May 12, 2021; and (H) pre-judgment interest on unpaid spread of hours pay calculated at the rate of 9% per annum to the date of judgment, totaling \$2,228.07 as of May 12, 2021.

That Movants are awarded attorney's fees in the amount of \$20,692.50, and costs in the amount of \$581.00.

That Movants are awarded post-judgment interest, as calculated under 28 U.S.C. § 1961.

That if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending,

whichever is later, then the total amount of judgment shall automatically increase by fifteen percent, as required by NYLL § 198(4).

Dated: New York, New York
_____, 2021

HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE

This document was entered on the docket on

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